

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

WILLIAM M. BULGER, JR.,	)	
Administrator of the Estate of	)	
James Bulger,	)	
Plaintiff,	)	CIVIL ACTION NO. 3:20-CV-206
	)	
v.	)	JUDGE JOHN PRESTON BAILEY
	)	
	)	(Electronically Filed)
HUGH HURWITZ, <i>et al.</i>	)	
	)	
Defendants.	)	

**THE UNITED STATES OF AMERICA’S MOTION TO DISMISS**

NOW COMES Defendant the United States of America, by and through its undersigned Counsel, and respectfully moves this Court, under Rule 12(b)(1) of the Federal Rules of Civil Procedure, to dismiss Plaintiff William M. Bulger, Jr.’s (“Plaintiff”) Second Amended Complaint (Dkt. No. 8), with prejudice. The United States of America’s Motion is based on the facts, law, and argument contained in the accompanying Memorandum in Support of Motion to Dismiss, which is incorporated herein by reference.

WHEREFORE, for the foregoing reasons and those set forth in the United States of America's accompanying Memorandum in Support, the United States of America respectfully requests that the Court grant the instant Motion and dismiss Plaintiff's Second Amended Complaint with prejudice.

Respectfully submitted,

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Acting United States Attorney

/s/ Adam Fischer  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of October, 2021, a true and correct copy of the within *The United States of America's Motion to Dismiss* was served by ECF and/or first class mail upon all counsel of record.

/s/ Erin K. Reisenweber  
Erin K. Reisenweber  
Assistant U.S. Attorney